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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 JASON LEE SUTTON,

10 Plaintiff,

11 v.

12 BERNARD WARNER, et al.,

13 Defendants.

CASE NO. C18-5236 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

14 This matter comes before the Court on the Report and Recommendation (“R&R”)
15 of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 48. The Court
16 having considered the R&R and the remaining record, and no objections having been
17 filed, does hereby find and order as follows:

- 18 (1) The R&R is **ADOPTED**;
- 19 (2) Plaintiff’s motion for voluntary dismissal, Dkt. 46, is **GRANTED**;
- 20 (3) Defendants’ motion for summary judgment, Dkt. 27, is **DENIED as moot**;
- 21 (4) Plaintiff’s action is **DISMISSED with prejudice**; and
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1 (5) Plaintiff's *in forma pauperis* status is **REVOKED** for the purposes of
2 appeal.

3 Dated this 23rd day of January, 2019.

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6 BENJAMIN H. SETTLE
7 United States District Judge
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